

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

DENISE MONARQUE, As Personal Representative  
Of The Estate of RICHARD MONARQUE, Deceased,

Plaintiff,

vs.

CIV 11-0135 MV/KBM

THE CITY OF RIO RANCHO, RIO RANCHO POLICE  
DEPARTMENT, JUSTIN GARCIA, LEROY MALDONADO,  
MONTE JONES, and ROBERT BOONE,

Defendants.

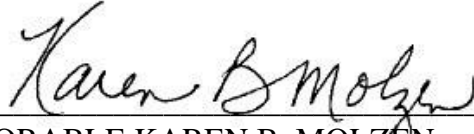
**ORDER APPOINTING DENISE MONARQUE AS PERSONAL  
REPRESENTATIVE OF THE ESTATE OF RICHARD MONARQUE**

THIS MATTER HAVING COME BEFORE THE COURT on Plaintiff's Motion for Appointment of Denise Monarque as the Personal Representative of the Estate of Richard Monarque. Doc. 4-1, pgs. 4 & 5. Defendants oppose the appointment of Denise Monarque as personal representative. Doc. 3, at pgs. 1-2.

THE COURT, after considering the relevant facts and law submitted by the parties (*see* Docs. 3, 4-1, 8, 32, 70, 72, 75, 76, & 79), and after a hearing held before this Court on April 4, 2013, HEREBY FINDS AND ORDERS:

Plaintiff Denise Monarque is hereby appointed as the personal representative of the estate of Richard Monarque for purposes of the claims alleged in the present proceedings. Under the New Mexico Wrongful Death Act (NMSA 1978, § 41-2-1, *et seq.*), federal common law, or perhaps under both, Denise Monarque is the appropriate person to serve as the personal representative of the estate of Richard Monarque, her deceased brother.

IT IS THEREFORE ORDERED.



THE HONORABLE KAREN B. MOLZEN  
UNITED STATES CHIEF MAGISTRATE JUDGE

**SUBMITTED BY:**

ROTHSTEIN, DONATELLI, HUGHES,  
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/s/ Brendan K. Egan 4.5.2013  
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**APPROVED AS TO FORM:**

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Telephonically approved 4.5.2013  
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